

## REGULAR MEETING MINUTES

### **HYDE COUNTY BOARD OF COMMISSIONERS MONDAY, JULY 1, 2019**

Following opening prayer by Commissioner Swindell; and, Pledge of Allegiance, Chairman Pugh called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, July 1, 2019 in the Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic conferencing equipment.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-Chairman Tom Pahl; Commissioners Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Economic Development Consultant Bill Rich; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry and members of the public. Commissioner Ben Simmons was absent.

Teresa Adams and members of the public were present on Ocracoke.

#### **CONSIDERATION OF AGENDA:**

Commissioner Pahl moved to approve the Monday, July 1, 2019 Meeting Agenda as presented by the Clerk with correction to Item No. 5 – Tax Payment Plan Policy presented by ~~Justin Gibbs~~ Kris Noble. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **CONSIDERATION OF MINUTES:**

##### **June 24 2019 – Special Meeting Minutes**

Commissioner Pahl moved to approve the Monday, June 24, 2019 Special Meeting Minutes as presented by the Clerk. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **PUBLIC HEARING:**

##### **Community Development Block Grant-Neighborhood Revitalization Program Regulations**

Commissioner Swindell moved to open public hearing to receive citizen questions and/or comments on the CDBG funding for a project in the community. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Chris Hilbert, PE, Holland Consulting Planners, reported Hyde County submitted a CDBG Neighborhood Revitalization grant in 2018. This public hearing was held in replacement of the public hearing held on June 5, 2018, due to an advertising error, to ensure compliance with North Carolina CDBG regulations.

Commissioner Swindell moved to close public hearing on the 2018 CDBG Neighborhood Revitalization Project. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **PRESENTATIONS:**

##### **Resolution Establishing a Complete Count Committee for The 2020 Census**

Census Partnership Specialists Brittany Wheatly of Carteret County and Mario Thomas of Brunswick County presented a timeline for the upcoming 2020 US Census count and the importance of local governments forming a Complete Count Committee (CCC) to ensure that the most accurate count is conducted in their counties.

Commissioner Pahl moved to adopt Resolution Establishing the Hyde County 2020 Census Complete Count Committee and to make recommendations for suitable members of the committee. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

*Clerk's Note: A copy of "Resolution Establishing The Hyde County 2020 Census Complete Count Committee" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **TR-407 Daily Distribution Tax Report**

Tax Administrator Linda Basnight presented the May 2019 Daily Distribution Tax Report.

Commissioner Swindell moved to approve the TR-407 Report as presented by Ms. Basnight. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Commissioner Pahl requested statistics from the past year or two be compared by month on future reports.

#### **Hyde County ABC Board Member Appointment and General Update**

Meredith Nicholson, ABC Board Chair, presented update on the Hyde County ABC Boards' general financial condition. Ms. Nicholson presented the ABC Board FY2019-2020 Budget Message. The Board continues to remain profitable and plans to expand selection of products and improve customer relations with the public and restaurants they serve. Ms. Nicholson also reported the ABC Board needs to replace its box truck.

Commissioner Swindell moved to approve the Hyde County ABC Board FY2019-2020 Budget Message as presented and to re-appoint Chairman Meredith Nicholson to serve another three year term on the ABC Board (July 1, 2019 to June 30, 2022). Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Employee/ Volunteer/ Friend of the Month**

County Manager Kris Cahoon Noble complimented the commissioners and department heads on completion of the FY2019-2020 Budget.

#### **PUBLIC COMMENT:**

Rita Theil, Ocracoke – reported she is working to implement a leash law on the Island.

Vice-Chair Pahl recommended she get a petition to the Ocracoke Planning Board.

Richard Williams, Engelhard – requested Board of Commissioners assistance with getting a No-Wake Zone on Rattlesnake Canal in Wysocin Wildlife Sanctuary.

County Manager Kris Cahoon Noble will contact NC Wildlife Resources Commission Officer Robert Wayne for instructions for creating a No-Wake Zone.

Hearing no further comment from the public, Chairman Pugh continued the meeting.

#### **ITEMS OF CONSIDERATION:**

##### **Project Budget Ordinance FY19-20 for Revolving Loan Fund**

Commissioner Pahl moved to adopt "Hyde County Revolving Loan Fund Project Budget Ordinance FY19-20" as presented by Finance Officer Corrinne Gibbs. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

*Clerk's Note: A copy of "Hyde County Revolving Loan Fund Project Budget Ordinance FY19-20" is attached herewith as Exhibit B and incorporated herein by reference.*

##### **Appointments – Ocracoke Boards and Committees**

**1. Planning Advisory Board** – Commissioner Pahl moved to appoint Garick Kalna to replace Tom Paine; Heather Johnson to replace Vince O'Neal; and, Lena Austin O'Neal to replace Farris O'Neal on the Ocracoke Planning Advisory Board to serve staggered terms with 3 – two year and 3 – three year terms. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

<b>Planning Advisory Board</b>	<b>Term Expired</b>	<b>New Appointment</b>	<b>New Term Length</b>	<b>To Expire On</b>
	Ashley Harrall	Ashley Harrall	2	07-01-2021
	Albert O'Neal	Albert O'Neal	2	06-06-2021
	Steve Wilson	Steve Wilson	3	06-06-2022
	Tom Paine	Garick Kalna	3	06-06-2022
	Vince O'Neal	Heather Johnson	3	06-06-2022
	Farris O'Neal	Lena Austin O'Neal	2	06-06-2021

**2. Board of Adjustments** – Commissioner Pahl moved to reappoint Chairman William Howard and Betty Jane Oelschlegel (regular seats) and to reappoint Joseph Ramunni and Ann Warner (alternate seats) to serve staggered three year terms each on the Ocracoke Board of Adjustments. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.



Board of Adjustments	Term Expired	New Appointment	New Term Length	To Expire On
Regular Seats	William Howard - Chairman	William Howard	3	12-05-2022
	Betty Jane Oelschlegel	Betty Jane Oelschlegel	3	07-05-2022
	Joseph Ramunni	Joseph Ramunni	3	06-06-2022
BOA Alternate	Ann Warner	Ann Warner	3	06-06-2022

**3. Occupancy Tax Board** – Commissioner Pahl moved to appoint Ann Warner to replace Stephanie O’Neal and to reappoint Bob Chestnut to serve three year terms on the Ocracoke Occupancy Tax Board. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Occupancy Tax Board	Term Expired	New Appointment	New Term Length	To Expire On
OCBA Nominee	Stephanie O’Neal	Ann Warner	3	06-06-2022
OCBA Nominee	Bob Chestnut	Bob Chestnut	3	06-06-2022

**4. Ocracoke Waterways Commission** – Commissioner Pahl reported on March 4 Scott Bradley was appointed to complete the three year term of Erik O’Neal ending on July 10, 2018. Commissioner Pahl moved to reappoint Scott Bradley to serve a three year term on the Ocracoke Waterways Commission (July 10, 2018 to July 10, 2021). The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Ocracoke Waterways Commission	Term Expired	New Appointment	New Term Length	To Expire On
O’Neal’s term expired 07-10-18. Bradley is actually starting a year into a 3 year term expiring on 07-10-21.	Erik O’Neal/Scott Bradley	Scott Bradley	3	07-10-2021
	Darlene Styron	Darlene Styron	3	07-10-2022
	Vince O’Neal	Farris O’Neal	3	07-10-2022

#### **Designation of Voting Delegate for NCACC Annual Conference**

Commissioner Swindell moved to designate Chairman Earl Pugh, Jr. the voting delegate for Hyde County at the 112<sup>th</sup> Annual Conference of the North Carolina Association of County Commissioners to be held in Guilford County, N.C., on August 22-24, 2019. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Mattamuskeet Association Project**

Daniel Brinn, Water and Flood Control Coordinator, reported the Mattamuskeet Association wishes to secure a loan at 0% for 10 years in the amount of \$400,000.00 through a loan program offered by Tideland EMS with Hyde County as the principal borrower. The Mattamuskeet Association Members met on March 18<sup>th</sup> 2019 to discuss needed work to conduct repairs resulting from Hurricane Matthew. The Association has a project workshop approved by FEMA as well as state funding that will reimburse the cost of the repairs once completed. The Association has requested help securing the funds in order to complete the work required. Upon completion of the project and receipt of reimbursements the Association will repay the loan.

Commissioner Swindell moved to work with the County attorney to create a contractual relationship between the County and the Mattamuskeet Association in which the Association is obligated to repay Hyde County any funds with which the County assists the Association. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Commissioner Swindell moved to authorize the County manager to enter into the financing alternative, close the loan, receive the funds, make payment to the Mattamuskeet Association and begin receiving payments in August 2019. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

#### **Tax Payment Plan Policy**

County Manager Kris Cahoon Noble presented a tax payment plan policy meant to encourage all taxpayers to budget for their ad valorem taxes.

***Payment Plans** will be the primary voluntary collection mechanism and a means to encourage all taxpayers to budget for their ad valorem taxes on a monthly basis. As such, these arrangements can be highly individualized to account for income flow and manageability. This payment plan policy allows formal agreements to be entered at any point. Also, the agreements will require the taxpayer to consent to automatic bank drafts that will occur around the 5<sup>th</sup> day or the 20<sup>th</sup> of each month until the debt is paid in full. In an effort to encourage taxpayers to exercise their option to enter into a formal payment plan as early as possible, a standard amortization schedule will be printed on each tax bill and detachable so the taxpayer can express their intent to enter the agreement. A voided check will be required or the taxpayer would need to provide banking information by some other means, so bank drafts can be created. The standard term will divide the principal into equal monthly payments with a payoff in December or January to avoid the accrual of interest. If the taxpayer needs additional time to fulfill the debt, then the payment schedule can be extended through June of the current taxing year and interest will be added to the payments over the term of the arrangement. Additionally, if the taxpayer enters*

*a payment plan late in the payment period or once the debt has become delinquent, then the taxpayer will have the option to include the next taxing year and prepayments would be applied until the tax becomes due. Any request to deviate from the standard payment schedule would require the taxpayer to contact the Hyde County Tax Office directly to negotiate the individualized plan. If a taxpayer defaults twice after entering a formal agreement, the arrangement would be deemed void and the taxes would be placed in enforced collections.*

Commissioner Swindell moved to approve the Tax Payment Plan Policy as presented. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

**Proposed New Job Description: Lands Record Manager**

County Manager Kris Cahoon Noble presented a proposed job description for a new position of “Lands Record Manager”. Justin Gibbs, who is already doing this work, will be paid 40% Lands Record Management funded by the Tax Department and 60% funded by the Emergency Management Department.

Commissioner Swindell moved to approve the Lands Record Manager job description as presented. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

**Inspection Fee Schedule**

Jane Hodges, Permits Technician, presented a new Inspection Fee Schedule with addition of Solid Waste container fees (Items 34 and 35) to the Building Inspection Permit Fee Schedule.

<i>No. 34. Red Box Fee for Construction Debris for Ocracoke</i>	<i>\$226.00</i>
<i>Fuel Charges</i>	<i>\$ 65.00</i>
<i>No. 35. David's Trash Fee for Construction Debris Removal</i>	
<i>Ponzer Location</i>	<i>\$405.88</i>
<i>Fuel Charges</i>	<i>\$ 35.00</i>
<i>Scranton Location</i>	<i>\$427.11</i>
<i>Fuel Charges</i>	<i>\$ 45.00</i>
<i>Swan Quarter</i>	<i>\$411.95</i>
<i>Fuel Charges</i>	<i>\$ 55.00</i>
<i>Fairfield</i>	<i>\$463.17</i>
<i>Fuel Charges</i>	<i>\$ 60.00</i>
<i>Engelhard</i>	<i>\$508.79</i>
<i>Fuel Charges</i>	<i>\$ 65.00</i>

Commissioner Pahl moved to approve the amended Inspection Permit Fee Schedule as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

**Colocation of AT&T Mobility Telecommunications Facility On Existing Tower**

Donnie Shumate, IT Director, reported AT&T Mobility is proposing to construct and operate a new Wireless Telecommunications Facility to be collocated on the existing Tower located at 1233 Radar Rd., Engelhard, NC. This site will increase the coverage area for AT&T in Hyde County. Mr. Shumate reported, per Hyde County Ordinance Sec. 40-225, this facility should be considered as an (a) (2) antenna located on existing WTS facility, and a higher order WTS preference was not chosen because the existing tower is not a stealth structure. He also reported MasTec Network Solutions will be the contractors handling the installation. All parties involved have submitted the necessary paperwork and the application meets the requirements of the Hyde County Wireless Telecommunications Facility Ordinance.

Commissioner Pahl moved to approve collocation of the AT&T Mobility Telecommunications Facility on existing tower on Radar Road in Engelhard as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

**BUDGET REVISIONS: (none)**

**MANAGEMENT REPORTS:**

**Chairman Pugh** – attended the Salt Water Intrusion Field Day, Ocracoke and Engelhard Medical Center meeting, Ocracoke Control Group and christening of the ferry “Rodanthe”. Mr. Pugh read a thank you card received from Ms. Kelly Davis.



Commissioner Pugh moved to adopt Resolution Opposing House Bill 483 – “Let It Spawn”. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

*Clerk's Note: A copy of “Hyde County Resolution Opposing House Bill 483” is attached herewith as Exhibit C and incorporated herein by reference.*

**Vice-chairman Pahl** – attended the Ocracoke Township Tourism Development Authority (OTTDA) budget meeting with the Ocracoke Civic and Business Association (OCBA) where the Ocracoke Childcare Center was discussed. He attended the Ocracoke Control Group, Planning Board, Island Inn Project and Waterways Commission meetings and the christening of the new ferry “Rodanthe”. Mr. Pahl reported the passenger ferry project was very successful.

**Commissioner Swindell** – attended the Health Board meeting. He commended Mr. Hugh Watson, Environmental Health Coordinator, for his diligent work in Raleigh for Hyde County.

**Commissioner Simmons** – absent.

**Commissioner Topping** – reported he has been in contact with Ms. Susan Jones of Independent Living. This group assists the elderly and disadvantaged with home repairs at no cost to the citizens. He would like to add Ms. Jones to the next regularly scheduled Board of Commissioners meeting to introduce Hyde County to the Independent Living program. Mr. Topping also noted information he requested from County offices was needed before the FY2019-2020 Hyde County Budget was passed, not after, and in a timely manner.

**County Manager Kris Cahoon Noble** – presented update on projects and activities attended during the month. Ms. Noble’s calendar was provided for the month of June, 2019.

Ms. Noble christened the new ferry “Rodanthe” and will participate in the Ocracoke Independence Day activities.

**PUBLIC COMMENT:**

Ken Collier, Ponzer – requested a letter of support from the Board of Commissioners written to NC DEQ and/or Senator Steinburg regarding an agreement with the Corp of Engineers in reference to Waterway Landing Subdivision property owners.

Commissioner Topping moved to direct the County Manager to prepare the Waterway Landing property owners letter of support as requested. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

Tim Coleman, Ponzer – reported four citizens in the Ponzer community are now certified EMT’s. Mr. Coleman requested support from the Board of Commissioners to commission Ponzer Volunteer Fire Department a certified EMT Station.

County Manager Kris Cahoon Noble will ask Emergency Manager Justin Gibbs to make a formal presentation on Mr. Coleman’s request at the next regularly scheduled Board of Commissioners meeting on August 5, 2019.

Connie Leinbach, Ocracoke – discussed details of the “Let Them Spawn” resolution.

Hearing no further comment from the public, Chairman Pugh continued the meeting.

**CLOSED SESSION: (none)**

**ADJOURN:**

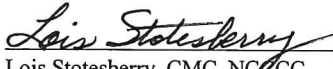
Commissioner Pahl moved to adjourn the meeting. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

The meeting adjourned at 8:25p.m.

Respectfully submitted:

Minutes approved on the 5<sup>th</sup> day of August, 2019.

Attest:

  
Lois Stotesberry, CMC, NCCCC  
Clerk, Hyde County Board of Commissioners

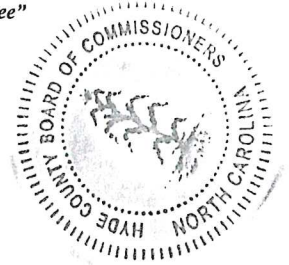
  
Earl Pugh, Jr.  
Chair, Hyde County Board of Commissioners

**Attachments**

Exhibit A: *"Resolution Establishing The Hyde County 2020 Census Complete Count Committee"*

Exhibit B: *"Hyde County Revolving Loan Fund Project Budget Ordinance FY19-20"*

Exhibit C: *"Hyde County Resolution Opposing House Bill 483"*



**Board of Commissioners**

Earl Pugh, Jr., Chair  
Tom Pahl, Vice-Chair  
Benjamin Simmons, III  
Shannon Swindell  
mes Topping

# COUNTY OF HYDE

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27885  
252-926-4400  
252-926-3701 Fax

Kris Cahoon Noble  
County Manager

Franz Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## A RESOLUTION ESTABLISHING THE HYDE COUNTY 2020 CENSUS COMPLETE COUNT COMMITTEE July 1, 2019

**WHEREAS**, Article 1, Section 2 of the United States Constitution mandates that a census be conducted of the nation's population every 10 years with the next census scheduled for April 1, 2020; and

**WHEREAS**, it is vital that all households of Hyde County complete a census form and that all residents be counted; and

**WHEREAS**, the census will determine how many elected congressional representatives and congressional districts North Carolina will have; and

**WHEREAS**, having an accurate and complete census count is important to our community in determining the allocation of federal and state funds and in making decisions related to economic development, housing assistance, transportation improvements, health care and education planning, and many other policies; and

**WHEREAS**, it is essential that accurate data be collected from groups of people who are historically difficult to count, including young children, low-income individuals, non-native English speakers, immigrants, renters, and individuals with unstable housing situations; and

**WHEREAS**, education, planning, outreach, and community partnerships between elected officials, the business and faith-based community, are necessary to ensure the census is as accurate as possible; and

**WHEREAS**, the United States Census Bureau encourages states and local governments to form Complete Count Committees, (CCC's) to increase awareness and understanding about the importance of the 2020 Census and to encourage people to participate; and

**WHEREAS**, every resident of Hyde County counts and deserves to be counted.

**NOW, THEREFORE BE IT RESOLVED BY THE HYDE COUNTY BOARD OF COMMISSIONERS THAT:**

1. There is hereby established an ad hoc committee known as the Hyde County Complete Count Committee ("Committee").
2. The Committee shall consist of up to 20 members representing a broad cross section of Hyde County's population. It is particularly important that the Committee have strong representation from organizations that serve the populations that are most likely to be undercounted.
3. Each township in the County will recommend one elected official or a designee.
4. The Committee shall sunset upon completion of its activities in 2020.

Adopted on the 1<sup>st</sup> Day of July, 2019.



Earl D. Pugh, Jr., Chairman  
Hyde County Board of Commissioners

Attest:



Lois Stotesberry, Clerk to the Board  
Hyde County Board of Commissioners





**HYDE COUNTY**  
**REVOLVING LOAN FUND**  
**PROJECT BUDGET ORDINANCE**  
**FY 19/20**

Be it ordained by the Board of Commissioners of Hyde County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project is hereby adopted:

Section 1. The project authorized is the Hyde County Revolving Loan Fund Budget Ordinance

Section 2. Hyde County staff is hereby directed to proceed with the Hyde County Revolving Loan Fund Budget Ordinance within the terms of the document(s), and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project activities:

Interest Earned:	\$50,000.00
Total Project:	\$50,000.00

Section 4. The following amounts are appropriated for completion of the project activities:

Interest Expense:	\$50,000.00
Total Expenditures:	\$50,000.00

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records.

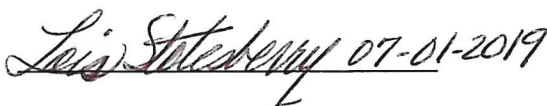
Section 6. The Finance Officer is directed to report on the financial status of each project element in Section 4.

Section 7. Copies of this Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Adopted this 1<sup>st</sup> day of July 2019

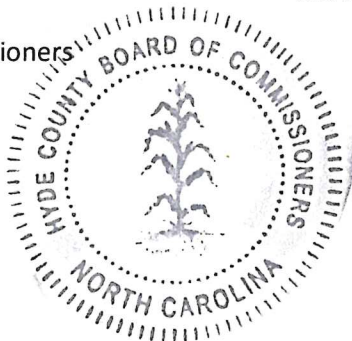
ATTEST

  
\_\_\_\_\_  
Earl Pugh Jr., Chair

 07-01-2019  
\_\_\_\_\_  
Clerk to the Board

SEAL

Hyde County Board of Commissioners



**Board of Commissioners**

Earl Pugh, Jr., Chair  
Tom Pahl, Vice-Chair  
Benjamin Simmons, III  
Lannon Swindell  
James Topping

# COUNTY OF HYDE

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27885  
252-926-4400  
252-926-3701 Fax

Kris Cahoon Noble  
County Manager

Franz Holscher  
County Attorney

Lois Statesberry, CMC, NCCCC  
Clerk to the Board



## HYDE COUNTY RESOLUTION OPPOSING HOUSE BILL 483

**WHEREAS**, the North Carolina House of Representatives voted to pass NC House Bill 483, with a short title: Let Them Spawn;

**WHEREAS**, the bill proposes an act to require that Fishery Management Plans must include a minimum size limit for spot, Atlantic croaker, kingfish, striped mullet, southern flounder, and bluefish, to ensure that 75% of the juvenile fish at the minimum size limit established for the species have reached the size of maturity and have had an opportunity to spawn at least once;

**WHEREAS**, the bill further proposes the Marine Fisheries Commission would be required to adopt rules to implement the act and while the revised FMPs are being developed, the Division of Marine Fisheries and Marine Fisheries Commission would establish temporary management measures for the minimum size limits required by the act;

**WHEREAS**, "Let Them Spawn", was written to intentionally sound harmless and appear to protect fish and North Carolina's fisheries in order to persuade legislators to adopt these guidelines without full analysis of the negative effects the implementation of this bill will have on the commercial and recreational fishing industries in our state;

**WHEREAS**, NC House Bill 483 was rushed through the NC House of Representatives with little opportunity for public comment from our coastal counties, communities and constituencies, giving no time for interested parties to provide input to their legislators or consult relevant data in order to make sound decisions;

**WHEREAS**, the process required under the Fisheries Reform Act of 1997 which requires the N.C. Division of Marine Fisheries to prepare Fisheries Management Plans for adoption by the NC Marine Fisheries Commission for all commercially and recreationally significant species or fisheries that comprise state marine or estuarine resources was not followed;

**WHEREAS**, little or no scientific data in regard to fisheries management or unintended economic consequences were considered in the drafting of this bill and therefore can not affirmatively ensure the long-term viability of the State's commercially and recreationally significant species or fisheries;

**WHEREAS**, changes to a natural resources' regulatory process and changes to fisheries laws, can have significant and unintended negative consequences on the economic and social well-being of small rural communities already struggling in today's societal and economic climate;

**WHEREAS**, House Bill 483 does not take into consideration other effects on the fisheries including, but not limited to, natural variations in fishery stocks, ecological and environmental changes, weather events, management strategies, changes in effort, or changes in the socioeconomics of individual fisheries;

**WHEREAS**, House Bill 483 would change North Carolina fisheries policy and would cripple the NC shrimping industry leading to a substantial reduction in the supply of local, wild-caught shrimp;

**WHEREAS**, Hyde County is a tier one economically distressed coastal county that is heavily dependent on both commercial and recreational fishing to support the economies and communities within;

**WHEREAS**, Hyde County ranked third in the state in ex-vessel value of commercial landings in an amount of \$12,811,250 and the port of Engelhard ranked third in the state in ex-vessel value of commercial landings in an amount of \$7,611,885 in 2017;

**WHEREAS**, Ocracoke Island's economy is contingent upon successful commercial and recreational fishing and the tourist economy all of which will be harmed by the passing of HB 483;

**WHEREAS**, House Bill 483 directly endangers the economic viability of Hyde County and other coastal counties without scientific data to support that the proposed changes within the bill will provide the greatest overall benefit to the State, will produce sustainable harvests, or end overfishing;

**NOW THEREFORE, LET IT BE RESOLVED**, that the Hyde County Board of County Commissioners requests that the North Carolina Senate reject House Bill 483;

**AND LET IT FURTHER BE RESOLVED** that the North Carolina Division of Marine Fisheries be allowed the opportunity to further study the issue and make any amendments or modifications to existing regulations through the comprehensive fisheries management plan process taking into account public input, potential economic and socioeconomic impacts, and potential impacts to other fisheries and other industries.

Adopted this 1<sup>st</sup> day of July, 2019

  
Chairman

Attest:

  
Clerk to the Board

